



Sarah F. Hutchins

Partner

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t 704.335.6639



Sarah Hutchins helps clients navigate business litigation, government investigations, and data privacy. She has significant experience representing clients in business disputes, including over noncompetition and non-solicitation agreements, trade secret misappropriation, and unfair and deceptive trade practices. She has a particularly deep understanding of the digital aspects of business litigation, which allows her to assist clients in quickly tracing a digital trail and isolating key material.

Sarah also has extensive experience in large-scale government investigations featuring the U.S. Department of Justice, the Securities and Exchange Commission, the Federal Trade Commission, and the Consumer Financial Protection Bureau, among other regulators. A seasoned litigator, she is admitted to practice before state and federal courts in North Carolina and Virginia, the Fourth Circuit Court of Appeals, the U.S. District Court for the District of Columbia, and the District of Columbia Court of Appeals.

Her experience with business litigation and government investigations also strengthens her cybersecurity and data privacy practice. Sarah has counseled national companies on compliance with federal and state privacy regulations, facilitated the export of significant amounts of data out of various countries with regards to discovery in litigation, and coordinated responses to data breaches for a number of entities, including governmental and quasi-governmental entities.

In addition, Sarah's skill at the intersection of data and litigation is an integral part of her ability to manage large-scale e-discovery issues.

Within Parker Poe, Sarah leads the firm's Community Service Committee and is a member of its Recruiting Committee, Professional Review Committee, and Security Team. While at the William & Mary School of Law, she was a member of the Journal of Women and the Law and the William & Mary Moot Court Team.

REPRESENTATIVE EXPERIENCE

Business Litigation

- Handled disputes in a variety of industries, including financial services, energy, manufacturing, health care, and others.



CHARLOTTE OFFICE



PRACTICE AREAS

- Antitrust & Trade Regulation
- Government Investigations & White Collar Defense Litigation
- Governance, Risk & Compliance
- Cybersecurity & Data Privacy
- Fintech



EDUCATION

- College of William and Mary
JD, 2008
- Vanderbilt University
BA, *cum laude*, 2004



ADMISSIONS

- North Carolina
- District of Columbia
- Virginia



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- Litigated numerous unfair competition, trade secret, and noncompete disputes with results that include entry of preliminary and permanent injunctions.
- Counseled clients on the digital aspects of business litigation, including quickly tracing a digital trail and isolating key material.
- Successfully defended a complex breach of contract allegation before the Fourth Circuit Court of Appeals.

Government Investigations

- Led representation of individual subpoenaed for grand jury testimony with regards to an investigation by a U.S. Attorney and the U.S. State Department.
- Represented an auto parts manufacturing company in an investigation conducted by the Antitrust Division of the Department of Justice that resulted in no enforcement action being taken.
- Represented an asset management firm and its principals in a Securities and Exchange Commission (SEC) investigation that resulted in no enforcement action being taken despite criminal sentences levied against alleged co-conspirators.
- Represented numerous corporate and individual clients investigated by the DOJ and other enforcement agencies for financial and regulatory crimes, including alleged participation in Ponzi schemes.
- Assisted national conglomerate in an SEC investigation that resulted in no enforcement action being taken.
- Counseled a hospital during a wide-scale state insurance investigation where no substantive sanctions were levied against the health care facility.
- Advised corporate and individual clients under investigation by consumer protection agencies, including the Consumer Financial Protection Bureau (CFPB) and Federal Trade Commission (FTC).
- Defended a client in connection with a merger and acquisition questioned by the FTC, including participating in one of the only post-merger trials prosecuted by the FTC in recent years.



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- Counseled companies on antitrust compliance and guided sales forces on appropriate competitive tactics.

Cybersecurity & Data Privacy

- Counseled a national company on consumer protection privacy policies to ensure compliance with federal and state privacy regulations.
- Facilitated the export of data out of the European Union with regards to discovery in litigation.
- Prepared privacy policy for telephone applications in compliance with U.S. and European regulations.
- Advised company on affiliate marketing strategies and regulations regarding storage and sharing of customer and consumer information.

CLIENT ALERTS

- "New California Privacy Law Has Implications Beyond That State's Borders," August 2018
- "U.S. Government Continues Raising the Cost of Noncompliance," May 2018
- "N.C. Federal Court Allows Treble Damages Claim Based on Theft of Employee Personal Information," April 2018
- "Countdown to GDPR Deadline: What Your Organization Should Be Doing to Prepare," February 2018
- "After Congress Kills CFPB Arbitration Rule, What's Next?", October 2017
- "CFPB's New Arbitration Rule and How It'll Likely Be Challenged," July 2017
- "SEC Emphasizes Need for Cyber Protections," July 2017
- "Updated U.S. Civil Penalties Raise the Cost of Noncompliance," June 2017
- "The High Stakes Poker of Playing Fast and Loose With Federal Laws and Regulations Just Got More High Stakes," July 2016



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- "Sarah Hutchins Co-Authors Article for TerraLex Connections," January 2016
- "Leading Practices and Issues for Mobile Devices: A Lawyer's Guide for Advising Clients - and for Following Their Own Advice," January 2016
- "Mild, Medium or Spicy? Unwrapping the Chipotle Investigation," January 2016
- "Federal Trade Commission Actions Highlight Need for Protection of Consumer Data," September 2011

PUBLICATIONS

- "Data and Business Litigation," Today's General Counsel, July 2019
- "Important Consumer Rights Take Effect as Part of Dodd-Frank Modifications," NYC Consumer Debt Defense Project, September 2018
- "Young Professionals Need to Own Charlotte's Arts Scene," The Charlotte Observer, November 2017
- "Regulatory Considerations as Cryptocurrencies Enter the Mainstream," BlockTribune, July 2017
- "What Can We Tell About the Trump Administration's Focus on Compliance?", The Corporate Counselor, July 2017
- "Ransomware Attacks: Why They're Growing, Who They Target and What You Can Do," JD Supra Perspectives, May 2017
- "Mobile Device Privacy Considerations for the Retail Automotive Industry," Defender, The National Association of Dealer Counsel Newsletter, August 2016
- "Fighting Theft Of Company Data Through The CFAA," Law360, July 2010
- "Petruska v. Gannon University: A Crack in the Stained Glass Ceiling," 14 William & Mary Journal of Women and the Law 197, January 2007



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SPEAKING ENGAGEMENTS

- "Latest Threats in Cybersecurity & Risk Management Strategies," Parker Poe, September 2019
- "Top Trends in Cybersecurity to Protect Your Business and Maintain Digital Privacy," DIG SOUTH Tech Summit, April 2019
- "Best Practices for Data and Business Litigation," Justice William Bobbitt Inn of Court, March 2019
- "The Impact of Data on Business Litigation," Carolinas Business Litigation Year in Review, February 2019
- "Ethical Considerations in Data Security," Carolinas Business Litigation Year in Review, February 2018
- "Legal and Practical Considerations for Security and Data," ISACA Cybersecurity Conference, December 2017
- "Preparing for the Worst: Evolving Your Cybersecurity Plans With Data Security and Privacy Laws," Parker Poe GRC Forum, September 2017
- "How Business Leaders Can Understand & Mitigate Cybersecurity Risks," Cyberhub Charlotte, VACO CPE Series, May 2017
- "Current Issues in the Use of Social Media and Online Technology," Panelist, North Carolina Bar Association, December 2016
- "Effective Grounds for Downward Variances in White Collar Cases," Co-presenter, NCBA White Collar CLE, May 2016
- "Privacy Ethical Obligations for Attorneys," Presenter, Roundpoint Mortgage CLE Presentation, April 2016
- "eDiscovery in Practice," Vanderbilt Law School, November 2015
- "Avoiding Competitive Landmines - Confidentiality, Trade Secrets, and Competition Concerns in Business Entry and Expansion," Navigating the Legal Waters: Foreign-Owned Businesses in the U.S., September 2015
- "Criminal and Regulatory Law for Your Corporate Practice: Practical Advice for Companies to Avoid or Deal With Federal Investigations," "Recognizing Potential Criminal and Regulatory Issues in Everyday Corporate Practice" , July 2015



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- "Plea Bargaining," The Twenty-Fourth Annual National Seminar on the Federal Sentencing Guidelines, May 2015
- "Practicing Law in the Age of Surveillance and Hackers: Exploring Privacy and Data Security for Legal Practitioners," American Journal of Trial Advocacy, Cumberland School of Law, Samford University, Birmingham, Alabama, February 2015
- "eDiscovery Overview and Discussion," Vanderbilt Law School, October 2014
- "Sentencing Proportionality and Mandatory Minimums," The Twenty-Third Annual National Seminar on the Federal Sentencing Guidelines, June 2014
- "Lender Liability and the Business Impact of Litigation," Commercial Finance Association, Carolinas Chapter, March 2014
- "Professionalism for New Admittees," Mecklenburg Bar Foundation, Bar Foundation Fund Committee, April 2013
- "What to Do When the Government Comes Calling," Presenter, Commercial Finance Association (CFA) – Carolinas Chapter, November 2012
- "Information Technology and the Law," Dress for Success Charlotte — Professional Women's Group, August 2012
- "Managing your "Friends": Facebook (and other social media) In Your Business; A Legal Perspective," National Association of Women Business Owners — Charlotte Chapter, January 2012

HONORS

- N.C. Bar Association's Citizen Lawyer Award, 2019
- *The Best Lawyers in America* in Criminal Defense: White-Collar, 2019-2020
- *Benchmark Litigation*, Future Star in North Carolina, 2018-2020; 40 & Under Hot List, 2016-2019
- *Charlotte Business Journal's* 40 Under 40, 2018



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- *Business North Carolina* magazine's "Legal Elite" in Litigation, 2015; Young Guns, 2016-2017, 2019
- *North Carolina Super Lawyers* Rising Star, 2014-2019
- *North Carolina Lawyers Weekly* "Leaders in the Law," Honoree, 2015
- Mecklenburg County Bar Young Lawyer of the Year, 2014
- William & Mary School of Law George Wythe Award for Distinguished Leadership, 2008
- Martindale-Hubbell AV® Preeminent™ in Antitrust, Commercial Litigation, White Collar Criminal Defense

MEMBERSHIPS

- McColl Center for Art + Innovation, Board of Directors, 2015-present
- Humane Society of Charlotte, Board of Directors, 2015-present, Chair, 2019, Vice Chair, 2018
- Blumenthal Performing Arts, Board of Trustees Apprentice, 2016-2017
- Mecklenburg Bar Foundation, Board of Directors, 2017-2020
- Mecklenburg County Bar, Board of Directors, 2014-2017; Nonprofit and Client Pro Bono Committee, Finance Committee, Bar Centennial Committee, Bar Candidate Interview Committee, Young Lawyers Division Pro Bono Committee
- Criminal Justice Act (CJA) Training Panel for the Western District of North Carolina, 2012-present
- Prevent Child Abuse North Carolina, Board of Directors (Secretary, 2012-2014; Member, 2011-2016); External Relations Committee, 2011-2016
- Arts & Science Council, Leadership Training Program 2014-2015 Class; Young Donor Society
- Mecklenburg County Bar Leadership Institute, 2012
- Charlotte Chamber of Commerce, Young Professionals
- Women's White Collar Defense Association



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- Chief Justice William H. Bobbitt American Inn of Court, Barrister

